

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

PENNSYLVANIA STATE CONFERENCE OF  
THE NAACP, *et al.*,

*Plaintiffs,*

v.

LEIGH M. CHAPMAN, in her official capacity  
as Acting Secretary of the Commonwealth, *et  
al.*,

*Defendants.*

Case No. 1:22-cv-00339-  
SPB

**STIPULATION**

Plaintiffs and the undersigned County Election Boards, by their  
undersigned counsel, hereby stipulate as follows:

1. The undersigned County Election Boards desire a prompt resolution  
of this case in order to have direction on how to properly proceed in future elections.  
Accordingly, while the undersigned County Election Boards neither admit nor deny  
the allegations of the Amended Complaint, the undersigned County Election  
Boards do not object to, and stipulate and agree to not contest or appeal, the  
declaratory and injunctive relief requested by Plaintiffs in this action. The forgoing  
does not prohibit the undersigned County Election Boards from joining an appeal  
of a decision of this Court denying Plaintiffs' requested declaratory and injunctive  
relief or from appealing a decision of the Court imposing sanctions on the  
undersigned County Election Boards.

2. In the absence of any further agreed-upon extension by Plaintiffs, the undersigned County Election Boards stipulate and agree: that they shall not unreasonably impede discovery in this action; that they will, by January 20, 2023, answer and respond fully and completely to the written interrogatories, document requests, and requests for admission served upon them by Plaintiffs on December 14, 2022, limiting objections to the extent reasonably possible to those concerning privilege; and that they will produce to Plaintiffs' counsel all requested non-privileged items and documents.

3. In exchange for the undersigned County Election Boards' stipulation and cooperation in discovery as stated in the other paragraphs of this Stipulation, Plaintiffs stipulate and agree: to forgo any claim for attorneys' fees and costs against only the undersigned County Election Boards; to refrain from seeking the entry of any default or seek any further response from the undersigned County Election Boards in this case; and to forgo any other relief in this case against the undersigned County Election Boards other than the injunctive and declaratory relief sought in Plaintiffs' Amended Complaint.

4. To the extent the deposition testimony or other sworn statement of the undersigned County Election Boards shall be reasonably necessary for evidentiary purposes, Plaintiffs and the undersigned County Election Boards stipulate and agree to reasonably cooperate with each other to provide such testimony or statement in the least burdensome manner.

Undersigned counsel for Plaintiffs represents that counsel for all other parties listed below consent to this Stipulation.

Dated: January 4, 2023

Respectfully submitted,

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Pennsylvania, Jean Terrizzi,  
Barry M. Seastead, Marjorie  
Boyle, Marlene G. Gutierrez,  
Deborah Diehl, Aynne Margaret  
Pleban Polinski, Joel Bencan, and  
Laurence M. Smith*

ADAMS COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

/s/Sean A. Mott

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ALLEGHENY COUNTY BOARD OF  
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Dated: January 4, 2023

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ARMSTRONG COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

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BEAVER COUNTY BOARD OF  
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Dated: January 4, 2023

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BLAIR COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

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BUCKS COUNTY BOARD OF  
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Dated: January 4, 2023

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CAMBRIA COUNTY BOARD OF  
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Dated: January 4, 2023

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Dated: January 4, 2023

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CHESTER COUNTY BOARD OF  
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Dated: January 4, 2023

/s/Colleen Frens

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CLARION COUNTY BOARD OF  
ELECTIONS and SUSQUEHANNA  
COUNTY BOARD OF ELECTIONS and  
TIOGA COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

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CLINTON COUNTY BOARD OF  
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Dated: January 4, 2023

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CRAWFORD COUNTY BOARD OF  
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Dated: January 4, 2023

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CUMBERLAND COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

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DELAWARE COUNTY BOARD OF  
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Dated: January 4, 2023

/s/J. Manly Parks

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Dated: January 4, 2023

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ERIE COUNTY BOARD OF ELECTIONS

Dated: January 4, 2023

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FRANKLIN COUNTY BOARD OF  
ELECTIONS and POTTER COUNTY  
BOARD OF ELECTIONS

Dated: January 4, 2023

/s/Frank J. Lavery, Jr.

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JUNIATA COUNTY BOARD OF  
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Dated: January 4, 2023

/s/Donald K. Zagurskie

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LEHIGH COUNTY BOARD OF  
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Dated: January 4, 2023

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LYCOMING COUNTY BOARD OF  
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Dated: January 4, 2023

/s/ J. David Smith

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MIFFLIN COUNTY BOARD OF  
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Dated: January 4, 2023

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MONTGOMERY COUNTY BOARD OF  
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Dated: January 4, 2023

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NORTHAMPTON COUNTY BOARD OF  
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Dated: January 4, 2023

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Dated: January 4, 2023

/s/ Aimee D. Thomson

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POTTER COUNTY BOARD OF  
ELECTIONS

Dated: January 4, 2023

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SOMERSET COUNTY BOARD OF  
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Dated: January 4, 2023

/s/ Michael P. Barbera

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SULLIVAN COUNTY BOARD OF  
ELECTIONS and WYOMING COUNTY  
BOARD OF ELECTIONS

Dated: January 4, 2023

/a/Keneth R. Levitzky

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Dated: January 4, 2023

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WAYNE COUNTY BOARD OF  
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Dated: January 4, 2023

/s/Wendell R. Kay

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It is so ordered this 5th day of January, 2022.



United States District Judge